

ORDINANCE NO. Z-00-04-13-9C3

AN ORDINANCE AMENDING ORDINANCE NO. Z-94-02-10-8F, ADOPTED BY THE CITY COUNCIL OF ROUND ROCK, TEXAS, ON NOVEMBER 22, 1994, BY AMENDING THE DEVELOPMENT PLAN OF PUD NO. 18, APPROVED BY THE CITY COUNCIL IN SAID ORDINANCE, PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES OR RESOLUTIONS.

WHEREAS, on November 22, 1994, the City Council of the City of Round Rock, Texas, adopted Ordinance No. Z-94-02-10-8F, which established PUD No. 18, and

WHEREAS, an application has been made to the City Council of the City of Round Rock, Texas to amend the Development of PUD No. 18, and

WHEREAS, the Planning and Zoning Commission held a public hearing concerning the requested amendment to Ordinance No. Z-94-02-10-8F on the 15th day of March, 2000, following lawful publication of said public hearing, and

WHEREAS, after considering the public testimony received at such hearing, the Planning and Zoning Commission has recommended that Ordinance No. Z-94-02-10-8F be amended, and

WHEREAS, on the 13th day of April, 2000, after proper notification, the City Council held a public hearing on the requested amendment to Ordinance No. Z-94-02-10-8F, and

WHEREAS, the City Council determined that the requested amendment to Ordinance No.Z-94-02-10-8F promotes the health, safety, morals and general welfare of the community, and

WHEREAS, each and every requirement set forth in Chapter 211, Sub-Chapter A., Texas Local Government Code, and Section 11.300, Code of Ordinances, 1990 Edition, City of Round Rock, Texas concerning public notices, hearings, and other procedural matters has been fully complied with, Now Therefore

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ROUND ROCK, TEXAS, THAT:

I.

That the City Council hereby determines that the proposed amendment to Planned Unit Development (PUD) District #18 meets the following goals and objectives:

- (1) The amendment to P.U.D. #18 is equal to or superior to development that would occur under the standard ordinance requirements.
- (2) The amendment to P.U.D. #18 is in harmony with the general purposes, goals, objectives and standards of the General Plan.
- (3) The amendment to P.U.D. #18 does not have an undue adverse effect on adjacent property, the character of the neighborhood, traffic conditions, parking, utilities or

any other matters affecting the public health, safety and general welfare.

II.

That Section 5 of Development Plan of PUD No. 18, as approved in Ordinance No. Z-94-02-10-8F, is hereby deleted in its entirety, and replaced with a new Section 5, which shall read as follows:

5. PERMITTED USES

5.1 General Use

The permitted use of the Property shall be as a family entertainment center to be constructed in four phases.

5.2 Phase One

The permitted uses of Phase One include the construction of a 3600 square foot game room, clubhouse and concession building, two 18 hole miniature golf courses, a seven station batting cage, a maintenance shed and parking for 110 vehicles, all of the above being depicted on the preliminary site plan attached hereto and incorporated herein as Exhibit "C". Additionally, the existing baseball field shall remain a baseball field.

5.3 Phase Two

The permitted uses of Phase Two include the addition of up to 3,900 square feet to the game room, clubhouse and concession building area, for a total of 7,500 square feet, a 3,000 square foot open pavilion, and a 2,500 to 3,000 square foot enclosed

pavilion or recreational facility, and open recreational fields, which shall be located in Area C, as depicted in Exhibit "C", and parking as required in Section Ten, below.

5.4 Phase Three

The permitted uses of Phase Three include the construction of a bumper boat ride, and a small children's electric-powered car ride or other similar uses, as approved by the Director of Planning, all to be located within Area B, as depicted in Exhibit "C". The existing Brent-Bustin Memorial baseball field shall be upgraded to include renovations to the existing restroom and concession stand, reinstallation of bleachers, reestablishment of bleachers and lighting upgrades. The parking shall be relocated as stated in Section 10.5, below. A mini-cart race track utilizing only electric-powered race cars, situated north of the Brent-Bustin Memorial Field and adjacent to the railroad right-of-way, shall be permitted within Area A, as depicted in Exhibit "C".

5.5 Phase Four

The permitted uses of Phase Four include the construction of an 18 hole theme miniature golf course and parking as required in Section Ten, below.

III.

That Section 6 of Development Plan of PUD No. 18, as approved in Ordinance No. Z-94-02-10-8F, is hereby amended to read as follows:

6. HEIGHT REQUIREMENTS

All structures shall not exceed thirty (30') feet in height. The only exception shall be the netting for the batting cage and the ballfield lights, which shall not exceed fifty (50') feet in height.

IV.

That Section 7.3 of Development Plan of PUD No. 18, as approved in Ordinance No. Z-94-02-10-8F, is hereby amended to read as follows:

7.3 Landscaping Requirements for Mini-cart Race Track

A six (6') foot high, solid cementitious wall, a four (4') foot high landscaped berm, and solid shrubbery shall be constructed along the western side of the mini-cart race track. Landscaping will be located on the western side of the fence. All landscape plans shall be approved by the Director of Planning.

V.

That Section 9.1 of Development Plan of PUD No. 18, as approved in Ordinance No. Z-94-02-10-8F, are hereby amended to read as follows:

9.1 Fence Construction Around Recreation Areas and Parking Areas

A black fence shall be constructed around the perimeter of the entire recreation areas and parking areas. Said fence shall consist of vertical rails, supported by two horizontal tubular rails, with each rail being one and one-half inches (1 ½") in diameter, the lowest rail being one and one half (1 ½') feet in height and the highest rail being three (3') feet in height.

VI.

That Section 10.3 of Development Plan of PUD No. 18, as approved in Ordinance No. Z-94-02-10-8F, is hereby amended to read as follows:

10.3 Phase Three Parking

Phase Three shall provide a total of thirty-two (32) parking spaces.

VII.

That Section 13 of Development Plan of PUD No. 18, as approved in Ordinance No. Z-94-02-10-8F, is hereby amended to add a new Section 13.5 to read as follows:

13.5 Mini-cart Race Track Lighting

The Mini-cart race track area shall be illuminated by hooded or shielded exterior lighting, mounted on poles no higher than thirty (30') feet above ground level. These light fixtures shall

face east, and shall be pointed at the ground within the mini-cart race track area.

VIII.

That the Development Plan of PUD No. 18, as approved in Ordinance No. Z-94-02-10-8F, is hereby amended by adding a new Section 16, which shall read to read as follows:

16. MINI-CART TRACK

16.1 Chisholm Trail Upgrade

Chisholm Trail Road shall be upgraded along the entire frontage of the Property prior to the issuance of a building permit for the Mini-cart Race Track. The existing Chisholm Trail shall be widened approximately four (4') feet, with eight (8") inches of new road base, then overlaying this base and the entire existing asphalt surface with a new 1 ½" mat of H.M.A.C. for a total width of twenty-four (24') feet. To avoid disrupting the existing drainage and sidewalk, shoulders will not be required beyond the asphalt surface.

Trees will be trimmed and/or cleared within the right-of-way as necessary to prevent conflicts with traffic on the widened surface. A landscape plan showing existing trees to be removed shall be reviewed and approved by the Director of Planning prior to the removal of any tree. Pothole areas will be removed and replaced with eight (8") inches of new road base, and a solid stripe shall be painted in the centerline of the new road.

A third asphalt driveway connecting Chisholm Trail shall be provided at the south end of the proposed parking lot expansion to allow vehicles to turn around before reaching the Good Hope Baptist Church.

Engineering necessary to adequately design and describe the proposed road improvements shall be submitted to the Director of Public Works for approval. Existing driveways that do not lead to the Property, but connect to the new road will not be improved, other than insuring that said existing driveways remain functional upon and during construction of the road improvements. Existing driveways leading to the Property shall be upgraded if they are in disrepair.

16.2 Good Hope Church

Prior to issuance of Certificates of Occupancy for the Mini-cart race Track, the Owner shall provide an agreement allowing the Good Hope Church, its successors and assigns, to connect to the private wastewater line previously installed in 1995, at Good Hope Church's expense. If an easement is required, it will be dedicated at the appropriate time.

16.3 Phasing

The various phases may be constructed in any sequence as determined by the Owner, if the appropriate number of parking spaces are completed with each specific phase.

16.4 Chisholm Trail Road Capital Improvement Project

The Developer, his successors and assigns, shall pay twenty-five (25%) percent of actual construction costs incurred by the City for future, permanent Chisholm Trail Road Capital Improvement Project, said construction costs to exclude right-of-way acquisition, utility relocation, drainage, and other items not directly related to actual road construction costs.

IX.

A. All ordinances, parts of ordinances, or resolutions in conflict herewith are expressly repealed.

B. The invalidity of any section or provision of this ordinance shall not invalidate other sections or provisions thereof.

Alternative 1.

By motion duly made, seconded and passed with an affirmative vote of all the Council members present, the requirement for reading this ordinance on two separate days was dispensed with.

READ, PASSED, and ADOPTED on first reading this 13th day of April, 2000.

Alternative 2.

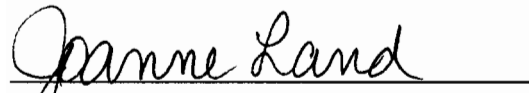
READ and APPROVED on first reading this the _____ day of _____, 2000.

READ, APPROVED and ADOPTED on second reading this the
____ day of _____, 2000.

A handwritten signature in black ink, appearing to read "Robert A. Stluka", written over a horizontal line.

ROBERT A. STLUKA, Mayor
City of Round Rock, Texas

ATTEST:

A handwritten signature in black ink, appearing to read "Joanne Land", written over a horizontal line.

JOANNE LAND, City Secretary

[illegible]

Putt-Putt

Go! & Games